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EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 21st May, 1985:—

BILL No. XVII OF 1985

A Bill to establish and incorporate an open University at the national level for the introduction and promotion of the open University and distance education systems in the educational pattern of the country and for the co-ordination and determination of standards in such systems.

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indira Gandhi National Open University Act, 1985.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, and the Statutes made hereunder, unless the context otherwise requires,—

Definitions.

(a) "Academic Council" means the Academic Council of the University;

(b) "Board of Management" means the Board of Management of the University;

(c) "Board of Recognition" means the Board of Recognition of the University;

(d) "College" means a College or other academic institution established or maintained by, or admitted to the privileges of, the University;

(e) "distance education system" means the system of imparting education through any means of communication, such as broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more of such means;

(f) "employee" means any person appointed by the University, and includes teachers and other academic staff of the University;

(g) "Finance Committee" means the Finance Committee of the University;

(h) "Governing Body", in relation to a College, means any body (by whatever name called) charged with the management of the affairs of the College and recognised as such by the University;

(i) "Planning Board" means the Planning Board of the University;

(j) "Regional Centre" means a centre established or maintained by the University for the purpose of co-ordinating and supervising the work of Study Centres in any region and for performing such other functions as may be conferred on such centre by the Board of Management;

(k) "Regulations" means the Regulations made by any authority of the University under this Act and are in force for the time being in force;

(l) "School" means a School of Studies of the University;

(m) "Statutes" and "Ordinances" mean, respectively, the Statutes and Ordinances of the University and are in force for the time being in force;

(n) "student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;

(o) "Study Centre" means a centre established, maintained or recognised by the University for the purpose of advising, counselling or for rendering any other assistance required by the students;

(p) "teachers" means Professors, Readers, Lecturers and such other persons as may be designated as such by the Ordinances for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;

(q) "University" means the Indira Gandhi National Open University established under this Act;

(r) "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Vice-Chancellor and a Pro-Vice-Chancellor of the University.

3. (1) There shall be established a University by the name of the "the India Gandhi National Open University".

Establishment and incorporation of the University.

(2) The headquarters of the University shall be at Delhi and it may establish or maintain Colleges, Regional Centres and Study Centres at such other places in India as it may deem fit.

(3) The first Vice-Chancellor, the first Pro-Vice-Chancellors and the first members of the Board of Management, the Academic Council and the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "the Indira Gandhi National Open University".

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The objects of the University shall be to advance and disseminate learning and knowledge by a diversity of means, including the use of any communication technology, to provide opportunities for higher education to a larger segment of the population and to promote the educational well being of the community generally, to encourage the Open University and distance education systems in the educational pattern of the country and to co-ordinate and determine the standards in such systems, and the University shall, in organising its activities, have due regard to the objects specified in the First Schedule.

The objects of the University.

5. (1) The University shall have the following powers, namely:—

Powers of the University.

(i) to provide for instruction in such branches of knowledge, technology, vocations and professions as the University may determine from time to time and to make provision for research;

(ii) to plan and prescribe courses of study for degrees, diplomas, certificates or for any other purpose;

(iii) to hold examinations and confer degrees, diplomas, certificates or other academic distinctions or recognitions on persons who have pursued a course of study or conducted research in the manner laid down by the Statutes and Ordinances;

(iv) to confer honorary degrees or other distinctions in the manner laid down by the Statutes;

(v) to determine the manner in which distance education in relation to the academic programmes of the University may be organised;

(vi) to institute professorships, readerships, lecturerships and other academic positions necessary for imparting instruction or for preparing educational material or for conducting other academic activities, including guidance, designing and delivery of course and evaluation of the work done by the students, and to appoint persons to such professorships, readerships, lecturerships and other academic positions;

(vii) to co-operate with, and seek the co-operation of, other universities and institutions of higher learning, professional bodies and organisations for such purposes as the University considers necessary;

(viii) to institute and award fellowships, scholarships, prizes and such other awards for recognition of merit as the University may deem fit;

(ix) to establish and maintain such Regional Centres as may be determined by the University from time to time;

(x) to establish, maintain or recognise Study Centres in the manner laid down by the Statutes;

(xi) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes and other software;

(xii) to organise and conduct refresher courses, workshops, seminars and other programmes for teachers, lesson writers, evaluators and other academic staff;

(xiii) to recognise examinations of, or periods of study (whether in full or part) at, other universities, institutions or other places of higher learning as equivalent to examinations or periods of study in the University, and to withdraw such recognition at any time;

(xiv) to make provision for research and development in educational technology and related matters;

(xv) to create administrative, ministerial and other necessary posts and to make appointments thereto;

(xvi) to receive benefactions, donations and gifts and to acquire, hold, maintain and dispose of any property movable or immovable, including trust and Government property, for the purposes of the University;

(xvii) to borrow, with the approval of the Central Government, whether on the security of the property of the University or otherwise, money for the purposes of the University;

(xviii) to enter into, carry out, vary or cancel contracts;

(xix) to demand and receive such fees and other charges as may be laid down by the Ordinances;

(xx) to provide, control and maintain discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their codes of conduct;

(xxi) to recognise any institution of higher learning or studies for such purposes as the University may determine and to withdraw such recognition;

(xxii) to appoint, either on contract or otherwise, visiting Professors, Emeritus Professors, Consultants, fellows, scholars, artists, course writers and such other persons who may contribute to the advancement of the objects of the University;

(xxiii) to recognise persons working in other universities, institutions or organisations as teachers of the University on such terms and conditions as may be laid down by the Ordinances;

(xxiv) to determine standards and to specify conditions for the admission of students to courses of study of the University which may include examination, evaluation and any other method of testing;

(xxv) to make arrangements for the promotion of the general health and welfare of the employees;

(xxvi) to confer autonomous status on a College or a Regional Centre in the manner laid down by the Statutes;

(xxvii) to admit to its privileges any College in or outside India subject to such conditions as may be laid down by the Statutes:

Provided that no College shall be so admitted except with the prior approval of the Visitor;

(xxviii) to do all such acts as may be necessary or incidental to the exercise of all or any of the powers of the University as are necessary and conducive to the promotion of all or any of the objects of the University.

(2) Notwithstanding anything contained in any other law for the time being in force, but without prejudice to the provisions of sub-section (1), it shall be the duty of the University to take all such steps as it may deem fit for the promotion of the open university and distance education systems and for the determination of standards of teaching, evaluation and research in such systems, and for the purpose of performing this function, the University shall have such powers, including the power to allocate and disburse grants to Colleges, whether admitted to its privileges or not, or to any other university or institution of higher learning, as may be specified by the Statutes.

6. The University shall in the exercise of its powers have jurisdiction over the whole of India.

Juris-
diction.

7. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or admitted as a student in the University, or to graduate thereat, or to enjoy or exercise any privilege thereof.

Univer-
sity open
to all
classes,
castes and
creeds.

(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.

8. (1) The President of India shall be the Visitor of the University.

The
Visitor.

(2) Subject to the provisions of sub-sections (3) and (4), the Visitor shall have the right to cause an inspection to be made, by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College, Regional Centre, a Study Centre and also of the examination, instruction and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the administration and finances of the University.

(3) The Visitor shall, in every case, give notice to the University of his intention to cause an inspection or inquiry to be made and the University shall, on receipt of such notice, have the right to make, within thirty days from the date of receipt of the notice or such other period as the Visitor may determine, such representations to him as it may consider necessary.

(4) After considering the representations, if any, made by the University, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where an inspection or inquiry has been caused to be made by the Visitor, the University shall be entitled to appoint a representative who shall have the right to appear in person and to be heard on such inspection or inquiry.

(6) The Visitor may address the Vice-Chancellor with reference to the results of such inspection or inquiry together with such views and advice with regard to the action to be taken thereon as the Visitor may be pleased to offer and on receipt of the address made by the Visitor, the Vice-Chancellor shall communicate forthwith to the Board of Management the results of the inspection or inquiry and the views of the Visitor and the advice tendered by him upon the action to be taken thereon.

(7) The Board of Management shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken by it upon the results of such inspection or inquiry.

(8) Where the Board of Management does not within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Board of Management, issue such directions as he may think fit and the Board of Management shall be bound to comply with such directions.

(9) Without prejudice to the foregoing provisions of this section, the Visitor may, by an order in writing, annul any proceedings of the University which is not in conformity with this Act, the Statutes or the Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made and, if any cause is shown within a reasonable time, he shall consider the same.

(10) The Visitor shall have such other powers as may be specified by the Statutes.

Officers
of the
Univer-
sity.

9. The following shall be the officers of the University:—

- (1) The Vice-Chancellor;
- (2) The Pro-Vice-Chancellors;
- (3) The Directors;
- (4) The Registrars;
- (5) The Finance Officer; and

(6) Such other officers as may be declared by the Statutes to be the officers of the University.

10. (1) The Vice-Chancellor shall be appointed by the Visitor in such manner, for such term and on such emoluments and other conditions of service as may be prescribed by the Statutes.

The Vice-Chancellor.

(2) The Vice-Chancellor shall be the principal academic and executive officer of the University, and shall exercise supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of the opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the Board of Management within ninety days from the date on which such action is communicated to him and thereupon the Board of Management may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor, if he is of the opinion that any decision of any authority is beyond the powers of the authority conferred by the provisions of this Act, Statutes or Ordinances or that any decision taken is not in the interests of the University, may ask the authority concerned to review its decision within sixty days of such decision and if the authority refuses to review its decision either in whole or in part or no decision is taken by it within the said period of sixty days, the matter shall be referred to the Visitor whose decision thereon shall be final:

Provided that the decision of the authority concerned shall remain suspended during the period of review of such decision by the authority or the Visitor, as the case may be, under this sub-section.

(5) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes and the Ordinances.

11. Every Pro-Vice-Chancellor shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

The Pro-Vice-Chancellors.

12. Every Director shall be appointed in such manner, on such emoluments and other conditions of service, and shall exercise such powers and perform such functions, as may be prescribed by the Statutes.

The Directors.

13. (1) Every Registrar shall be appointed in such manner, on such emoluments and other conditions of service as may be prescribed by the Statutes.

The Registrars.

(2) A Registrar empowered by the Board of Management shall have the power to enter into, and sign, agreements and authenticate records on behalf of the University.

(3) Every Registrar shall exercise such powers and perform such functions as may be prescribed by the Statutes.

The Finance Officer.

14. The Finance Officer shall be appointed in such manner, on such emoluments and other conditions of service and shall exercise such powers and perform such functions as may be prescribed by the Statutes.

Other officers

15. The manner of appointment, emoluments, powers and duties of the other officers of the University shall be prescribed by the Statutes.

Authorities of the University.

16. The following shall be the authorities of the University:—

- (1) The Board of Management;
- (2) The Academic Council;
- (3) The Planning Board;
- (4) The Board of Recognition;
- (5) The Schools of Studies;
- (6) The Finance Committee; and

(7) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Board of Management.

17. (1) The Board of Management shall be the principal executive body of the University.

(2) The constitution of the Board of Management, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

The Academic Council

18. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, have the control and general regulation of, and be responsible for, the maintenance of standards of learning, education, instruction, evaluation and examination within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

(2) The constitution of the Academic Council and the term of office of its members shall be prescribed by the Statutes.

The Planning Board.

19. (1) There shall be constituted a Planning Board of the University which shall be the principal planning body of the University and shall also be responsible for the monitoring of the developments of the University on the lines indicated in the objects of the University.

(2) The constitution of the Planning Board, the term of office of its members and its powers and functions shall be prescribed by the Statutes.

The Board of Recognition

20. (1) The Board of Recognition shall be responsible for admitting Colleges to the privileges of the University.

(2) The constitution and the other powers and functions of the Board of Recognition shall be prescribed by the Statutes.

21. (1) There shall be such number of Schools of Studies as the University may determine from time to time.

The
Schools
of
Studies.

(2) The constitution, powers and functions of the Schools of Studies shall be prescribed by the Statutes.

22. The constitution, powers and functions of the Finance Committee shall be prescribed by the Statutes.

The
Finance
Commit-
tee.

23. The constitution, powers and functions of the other authorities which may be declared by the Statutes to be authorities of the University shall be prescribed by the Statutes.

Other
authori-
ties.

24. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

Statutes.

(a) the manner of appointment of the Vice-Chancellor, the term of his appointment, the emoluments and other conditions of his service and the powers and functions that may be exercised and performed by him;

(b) the manner of appointment of Pro-Vice-Chancellors, Directors, Registrars, the Finance Officer and other officers, the emoluments and other conditions of their service and the powers and functions that may be exercised and performed by each of the officers;

(c) the constitution of the Board of Management and other authorities of the University, the terms of office of the members of such authorities and the powers and functions that may be exercised and performed by such authorities;

(d) the appointment of teachers and other employees of the University, their emoluments and other conditions of service;

(e) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;

(f) the principles governing the seniority of service of the employees of the University;

(g) the procedure in relation to any appeal or application for review by any employee or student of the University against the action of any officer or authority of the University, including the time within which such appeal or application for review shall be preferred or made;

(h) the procedure for the settlement of disputes between the employees or students of the University, and the University;

(i) the conferment of autonomous status on Colleges and Study Centres;

(j) the co-ordination and determination of standards in the open University and distance education systems and the allocation and disbursement of grants to Colleges and other universities and institutions;

(k) the conditions that are required to be fulfilled for admission of the Colleges to the privileges of the University;

(l) all other matters which by this Act are to be, or may be, provided by the Statutes.

Statutes
how
made.

25. (1) The first Statutes are those set out in the Second Schedule.

(2) The Board of Management may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Board of Management shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given a reasonable opportunity to express its opinion in writing on the proposed changes and any opinion so expressed has been considered by the Board of Management.

(3) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Visitor, who may assent thereto or withhold assent or remit to the Board of Management for re-consideration in the light of the observations, if any, made by him.

(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1), during the period of three years immediately after the commencement of this Act.

(6) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may direct the University to make provisions in the Statutes in respect of any matter specified by him and if the Board of Management is unable to implement such a direction within sixty days of its receipt, the Visitor may, after considering the reasons, if any, communicated by the Board of Management for its inability to comply with such direction, make or amend the Statutes suitably.

Ordinances.

26. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students, the courses of study and the fees therefor, the qualifications pertaining to degrees, diplomas, certificates and other courses, the conditions for the grant of fellowships, awards and the like;

(b) the conduct of examinations, including the terms and conditions and appointment of examiners;

(c) the management of Colleges admitted to the privileges of the University; and

(d) any other matter which by this Act or the Statutes is to be, or may be, provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Board of Management in the manner prescribed by the Statutes.

27. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees, if any, appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Regulations.

28. (1) The annual report of the University shall be prepared under the directions of the Board of Management which shall include, among other matters, the steps taken by the University towards the fulfilment of its objects.

Annual report.

(2) The annual report so prepared shall be submitted to the Visitor on or before such date as may be prescribed by the Statutes.

(3) A copy of the annual report, as prepared under sub-section (1) shall also be submitted to the Central Government which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

29. (1) The annual accounts and the balance sheet of the University shall be prepared under the directions of the Board of Management and shall, once at least every year, and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India or such person or persons as he may authorise in this behalf.

Annual accounts, etc.

(2) A copy of the accounts together with the audit report shall be submitted to the Visitor along with the observations, if any, of the Board of Management.

(3) Any observations made by the Visitor on the annual accounts shall be brought to notice of the Board of Management and the views of the Board of Management, if any, on such observations shall be submitted to the Visitor.

(4) A copy of the accounts together with the audit report, as submitted to the Visitor, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both the Houses of Parliament.

(5) The audited annual accounts, after having been laid before both the Houses of Parliament, shall be published in the Gazette of India.

30. (1) Every employee of the University shall be appointed under a written contract and such contract shall not be inconsistent with the provisions of this Act, the Statutes and the Ordinances.

Conditions of service of employees.

(2) The contract referred to in sub-section (1) shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

31. (1) Any dispute arising out of a contract of employment referred to in section 30 between the University and an employee shall, at the request of either party, be referred to a Tribunal of Arbitration which shall consist of one member nominated by the Board of Management, one member nominated by the employee concerned and an umpire to be nominated by the Visitor.

Tribunal of Arbitration.

(2) Every such reference shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940, and all the provisions of that Act, with the exception of section 2 thereof, shall apply accordingly.

(3) The procedure for regulating the work of the Tribunal of Arbitration shall be prescribed by the Statutes.

(4) The decision of the Tribunal of Arbitration shall be final and binding on the parties, and no suit shall lie in any court in respect of the matters decided by the Tribunal.

Provident
and pen-
sion
funds.

32. (1) The University shall constitute for the benefit of the employees such provident or pension funds or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(2) Where such provident or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such funds, as if it were a Government Provident Fund.

19 of 1925.

Disputes
as to the
constitu-
tion of the
Univer-
sity autho-
rities
and
bodies.

33. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

Filling
of
casual
vacan-
cies.

34. All the casual vacancies among the members (other than *ex officio* members) of any authority or other body of the University shall be filled, as soon as may be convenient, by the person or body who appoints, elects or co-opts the member whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceed-
ings of
the Uni-
versity
authori-
ties or
bodies
not invali-
dated by
vacan-
cies.

35. No act or proceedings of any authority or any other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

Protec-
tion of
action
taken in
good
faith

36. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act or the Statutes or the Ordinances.

Mode of
proof
of Uni-
versity
record.

37. A copy of any receipt, application, notice, order, proceedings, resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar so designated shall, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

1 of 1872.

38. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Gazette of India, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Power to
remove
difficul-
ties.

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

39. Notwithstanding anything contained in this Act and the Statutes:—

Transi-
tional
provi-
sions.

(a) The first Vice-Chancellor, the first Registrars and the first Finance Officer shall be appointed by the Visitor and they shall be governed by the terms and conditions of service specified by the Statutes:

Provided that the first Vice-Chancellor shall be eligible for appointment in the manner specified in the Statutes for another term;

(b) The first Board of Management shall consist of not more than fifteen members who shall be nominated by the Visitor and they shall hold office for a term of three years; and

(c) (i) The first Planning Board shall consist of not more than ten members who shall be nominated by the Visitor and they shall hold office for a term of three years;

(ii) The Planning Board shall, in addition to the powers and functions conferred on it by this Act, exercise the powers of the Academic Council, until the Academic Council is constituted under the provisions of this Act and the Statutes, and in the exercise of such powers, the Planning Board may co-opt such members as it may decide.

THE FIRST SCHEDULE**(See section 4)****THE OBJECTS OF THE UNIVERSITY**

1. The University shall endeavour through education, research, training and extension to play a positive role in the development of the country, and, based on the rich heritage of the country, to promote and advance the culture of the people of India and its human resources. Towards this end, it shall:—

(a) strengthen and diversify the degree, certificate and diploma courses related to the needs of employment and necessary for building the economy of the country on the basis of its natural and human resources;

(b) provide access to higher education for large segments of the population, and in particular, the disadvantaged groups such as those living in remote and rural areas including working people, housewives and other adults who wish to upgrade or acquire knowledge through studies in various fields;

(c) promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge, training and skills in the context of innovations, research and discovery in all fields of human endeavour;

(d) provide an innovative system of university level education, flexible and open, in regard to methods and pace of learning, combination of courses, eligibility for enrolment, age of entry, conduct of examination and operation of the programmes with a view to promote learning and encourage excellence in new fields of knowledge;

(e) contribute to the improvement of the educational system in India by providing a non-formal channel complementary to the formal system and encouraging transfer of credits and exchange of teaching staff by making wide use of texts and other software developed by the University;

(f) provide education and training in the various arts, crafts and skills of the country, raising their quality and improving their availability to the people;

(g) provide or arrange training of teachers required for such activities or institutions;

(h) provide suitable post-graduate courses of study and promote research;

(i) provide the counselling and guidance to its students; and

(j) promote national integration and the integrated development of the human personality through its policies and programmes.

2. The University shall strive to fulfil the above objects by a diversity of means of distance and continuing education, and shall function in co-operation with the existing Universities and Institutions of higher learning and make full use of the latest scientific knowledge and new educational technology to offer a high quality of education which matches contemporary needs.

THE SECOND SCHEDULE

(See section 24)

STATUTES OF THE UNIVERSITY**1. The Vice-Chancellor**

(1) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(2) The Vice-Chancellor shall be appointed by the Visitor from out of a panel of not less than three persons recommended (the names being arranged in the alphabetical order) by a committee constituted under clause (3):

Provided that if the Visitor does not approve of any of the persons so recommended he may call for fresh recommendations.

(3) The committee referred to in clause (2) shall consist of three members of whom two shall be nominated by the Board of Management and one by the Visitor, and the person nominated by the Visitor shall be the Convenor of the committee:

Provided that no person who is an employee of the University or of any affiliated College or a member of any authority of the University shall be nominated to be a member of the Committee.

(4) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier, and he shall not be eligible for re-appointment:

Provided that the Visitor may require any Vice-Chancellor after his term has expired, to continue in office for such period, not exceeding a total period of one year as may be specified by him.

(5) The emoluments and other conditions of service of the Vice-Chancellor shall be as follows:—

(i) There shall be paid to the Vice-Chancellor a salary of Rs. 3,000 per month and he would be entitled to the free use of the University car and, without payment of rent, to the use of furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) In addition to the salary specified in sub-clause (i), the Vice-Chancellor shall be entitled to such other allowances as are admissible to University employees from time to time.

(iii) The Vice-Chancellor shall be entitled to such terminal benefits and allowances as may be fixed by the Board of Management with the approval of the Visitor from time to time:

Provided that where an employee of the University or a College or of any other university or any institution maintained by or affiliated to such other university is appointed as the Vice-Chancellor, he may be allowed to continue to contribute to any provident fund of which he is a member and the University shall contribute to the account of such person in that provident fund at the same rate at which such person had been

contributing immediately before his appointment as Vice-Chancellor:

Provided further that where such employee had been a member of any pension scheme, the University shall make the necessary contribution to such scheme.

(iv) The Vice-Chancellor shall be entitled to travelling allowance at such rates as may be fixed by the Board of Management.

(v) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on active service.

(vi) In addition to the leave referred to in sub-clause (v), the Vice-Chancellor shall be entitled to half pay leave at the rate of twenty days per year of every completed year of service and the half pay leave may be availed of as commuted leave on full pay on medical certificate.

(6) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise, or if he is unable to perform his duties due to ill health or any other cause, the senior-most Pro-Vice-Chancellor shall perform the duties of the Vice-Chancellor, and if there is no Pro-Vice-Chancellor, the senior-most Director shall perform the functions of the Vice-Chancellor until the new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

2. Powers and functions of the Vice-Chancellor

(1) The Vice-Chancellor shall be *ex officio* Chairman of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

(2) The Vice-Chancellor shall be entitled to be present at, and address, any meeting of any other authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(3) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, Ordinances and Regulations are duly observed and he shall have all the powers necessary to ensure such observance.

(4) The Vice-Chancellor shall exercise control over the affairs of the University and shall give effect to the decisions of all the authorities of the University.

(5) The Vice-Chancellor shall have all the powers necessary for the proper maintenance of discipline in the University and he may delegate any such powers to such person or persons as he may deem fit.

(6) The Vice-Chancellor shall be empowered to grant leave to any officer of the University and make necessary arrangements for the discharge of the functions of such officer during his absence.

(7) The Vice-Chancellor shall grant leave of absence to any employee of the University in accordance with the rules and if he so desires, delegate such powers to another officer of the University.

(8) The Vice-Chancellor shall have the power to convene or cause to be convened the meetings of the Board of Management, the Academic Council, the Planning Board and the Finance Committee.

(9) The Vice-Chancellor shall have the following further powers, namely:—

(i) to appoint such Professors, Readers, Lecturers and other teachers as may be necessary with the prior approval of the Board of Management;

(ii) to appoint course writers, script writers, counsellors, programmers, artists and such other persons as may be considered necessary for the efficient functioning of the University;

(iii) to make short-term appointments for a period not exceeding six months at a time, of such persons as may be considered necessary for the functioning of the University;

(iv) to arrange for the establishment and maintenance of Regional and Study Centres at different places as may be inquired from time to time and delegate to any employee such powers as are necessary for their efficient functioning.

3. *The Pro-Vice-Chancellors*

(1) Every Pro-Vice-Chancellor shall be appointed by the Board of Management on the recommendation of the Vice-Chancellor:

Provided that if any recommendation of the Vice-Chancellor is not accepted by the Board of Management, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or request the Vice-Chancellor to recommend another person for consideration by the Board of Management:

Provided further that the Board of Management may, on the recommendation of the Vice-Chancellor, appoint a Professor to perform the functions of a Pro-Vice-Chancellor in addition to his own functions as a Professor.

(2) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Board of Management, but it shall not in any case exceed three years or until the expiration of the term of office of the Vice-Chancellor, whichever is earlier and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years:

Provided further that a Pro-Vice-Chancellor shall, while performing the functions of the Vice-Chancellor under clause (6) of Statute 1, continue in office notwithstanding the expiration of his term of office as Pro-Vice-Chancellor until a new Vice-Chancellor assumes his office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

(3) (a) The salary of a Pro-Vice-Chancellor shall be Rs. 2,750 per month and where a Professor is appointed to perform the func-

tions of a Pro-Vice-Chancellor in addition to his own functions as such Professor, he shall draw his pay in his substantive post plus a special pay of Rs. 500 per month, whichever is less.

(b) Every Pro-Vice-Chancellor shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office and no charge shall fall on the Pro-Vice-Chancellor personally in respect of maintenance of such residence.

(c) In addition to the salary specified in sub-clause (a), a Pro-Vice-Chancellor shall be entitled to such other allowances as are admissible to the employees of the University from time to time.

(d) Every Pro-Vice-Chancellor shall be entitled to such terminal benefits as may be fixed by the Board of Management from time to time.

(e) The Pro-Vice-Chancellor shall be entitled to subscribe to the contributory provident fund of the University till the end of his tenure:

Provided that where an employee of the University or a College or of any University or institution maintained by or affiliated to such other University is appointed as a Pro-Vice-Chancellor, he shall continue to be governed by the same retirement benefit scheme to which he was entitled prior to his appointment as Pro-Vice-Chancellor till he continues to hold his lien on that post, but under this provision, the pay for the purpose of subscription to the General Provident Fund and subscription to the University Contributory Provident Fund shall be the pay drawn by him as Pro-Vice-Chancellor.

(f) Every Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf from time to time and shall also exercise such powers and perform such functions as may be delegated to him by the Vice-Chancellor.

4. *The Directors*

(1) Every Director shall be appointed by the Board of Management on the recommendation of—

(i) the Vice-Chancellor, in case the candidate to be appointed is already a teacher of the University; and

(ii) a Selection Committee constituted for the purpose, in case the candidate to be appointed is from outside the University.

(2) Every Director shall be a whole-time salaried officer of the University:

Provided that one of the Directors shall be in charge of the administrative affairs of the teachers.

(3) The emoluments and other conditions of service of the Director shall be prescribed by the Ordinances:

Provided that a Director shall retire on attaining the age of sixty years.

(4) A Director shall exercise such powers and perform such functions as may be prescribed by the Ordinances.

5. *The Registrar*

(1) Every Registrar shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(2) The emoluments and other conditions of service of a Registrar shall be prescribed by the Ordinances:

Provided that a Registrar shall retire on attaining the age of sixty years.

(3) A Registrar designated by the Board of Management shall have power to take disciplinary action against such of the employees, excluding teachers and other members as may be specified by the Board of Management by order.

(4) An appeal shall lie to an officer so designated by the Board of Management against any order made by the Registrar in pursuance of clause (3).

(5) In cases where an inquiry discloses that a punishment beyond the powers of a Registrar is called for, the Registrar shall, consequent to the enquiry, make a report to the Vice-Chancellor along with his recommendations for such action as the Vice-Chancellor may deem fit:

Provided that an appeal shall lie to the Board of Management against an order of the Vice-Chancellor imposing any penalty.

(6) Such of the Registrars as is designated by the Board of Management shall be—

- (i) the Secretary to the Board of Management;
- (ii) the Member-Secretary of the Academic Council;
- (iii) the Member-Secretary of the Planning Board.

(7) A Registrar so designated shall—

(a) be the custodian of the records, the common seal and such other properties of the University as the Board of Management may commit to his charge;

(b) issue notices and convene meetings of the Board of Management, the Academic Council and the Planning Board and of the committees appointed by those authorities;

(c) keep the minutes of the meetings of the Board of Management, the Academic Council and the Planning Board and of the committees appointed by such authorities;

(d) conduct the official proceedings and correspondence of the Board of Management, the Academic Council and the Planning Board;

(e) supply to the Visitor, a copy of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings;

(f) represent the University in suits or proceedings, by or against the University, sign powers of attorney, verify pleadings and depute his representative for the purpose.

(g) perform such other functions as may be specified in the Statutes, Ordinances or Regulations or as may be required from time to time by the Board of Management or the Vice-Chancellor.

6. The Finance Officer

(1) The Finance Officer shall be appointed by the Board of Management on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University, and shall work under the control of the Vice-Chancellor.

(2) The emoluments and other conditions of service of the Finance Officer shall be prescribed by the Ordinances:

Provided that the Finance Officer shall retire on attaining the age of sixty years.

(3) When the office of the Finance Officer is vacant or when the Finance Officer is by reason of ill health, absence or any other cause unable to perform his functions as Finance Officer, his functions shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall—

(a) exercise general supervision of the funds of the University and advise it as regards its financial policies;

(b) perform such other financial functions as may be assigned to him by the Board of Management or as may be prescribed by the Statutes or the Ordinances;

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding one lakh of rupees without the previous approval of the Board of Management.

(5) Subject to the control of the Vice-Chancellor and the Board of Management, the Finance Officer shall—

(a) hold and manage the properties and investments of the University, including trust and immovable properties for fulfilling any of the objects of the University;

(b) ensure that the limits fixed by the Finance Committee for recurring and non-recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;

(c) be responsible for the preparation of the annual accounts and the budget of the University and for their presentation to the Board of Management after they have been considered by the Finance Committee;

(d) keep a constant watch on the cash and bank balances and investments;

(e) watch the progress of collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of properties of the University are maintained properly and that stock checking is conducted of equipments and other materials in the offices of the University including Regional Centres, Study Centres and other institutions maintained by the University;

(g) bring to the notice of the Vice-Chancellor any unauthorised expenditure or other financial irregularities and suggest appropriate action against persons at fault;

(h) call from any office of the University, including Regional Centres, Study Centres and other institutions maintained by the University, any information or reports that he may consider necessary for the performance of his functions.

(6) Any receipt given by the Finance Officer or by the person or persons duly authorised in this behalf by the Board of Management shall be a sufficient discharge for payment of moneys to the University.

7. Powers and functions of the Board of Management

(1) The Board of Management shall have the power of management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of the Act, the Statutes and the Ordinances, the Board of Management shall, in addition to the other powers vested in it under the Statutes have the following powers, namely:—

(a) to create teaching and other academic posts and to define the functions and conditions of service of Professors, Readers, Lecturers and other teachers and other academic staff employed by the University;

(b) to prescribe qualifications for teachers and other academic staff;

(c) to approve the appointment of such Professors, Readers, Lecturers and other teachers and academic staff as may be necessary on the recommendations of the Selection Committees constituted for the purpose;

(d) to approve appointments to temporary vacancies of any academic staff;

(e) to specify the manner of appointment to temporary vacancies of academic staff;

(f) to provide for the appointment of visiting Professors, Emeritus Professors, Fellows, artists and writers and determine the terms and conditions of such appointments;

(g) to manage and regulate the finances, accounts, investments, property of the University and all other affairs of the University and to appoint such agents as may be considered fit;

(h) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it thinks fit or in the purchase of immovable property in India with like power of varying such investment from time to time, provided that no action under this clause shall be taken without consulting the Finance Committee;

(i) to create administrative, ministerial and other necessary posts after taking into account the recommendations of the Finance Committee and to specify the manner of appointment thereto;

(j) to regulate and enforce discipline amongst the employees in accordance with the Statutes and Ordinances;

(k) to transfer or accept transfers of any immovable or movable property on behalf of the University;

(l) to entertain, adjudicate upon, or redress the grievances of the employees and the students of the University who may, for any reason, feel aggrieved;

(m) to fix the remuneration payable to course writers, counsellors, examiners and invigilators, and travelling and other allowances payable, after consulting the Finance Committee;

(n) to select the common seal for the University and to provide for the use of such seal;

(o) to delegate any of its powers to the Vice-Chancellor, Pro-Vice-Chancellors, Registrars, the Finance Officer or any other officer, employee or authority of the University, or to a committee appointed by it;

(p) to institute fellowships, scholarships, studentships; and

(q) to exercise such other powers and perform such other functions as may be conferred or imposed on it by the Act or the Statutes.

(3) The Board of Management shall exercise all the powers of the University not otherwise provided for by the Act, Statutes, Ordinances and the Regulations for the fulfilment of the objects of the University.

8. *Quorum for a meeting of the Board of Management*

Six members of the Board of Management shall form a quorum for a meeting of the Board.

9. *Powers of the Academic Council*

Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it under the Statutes, shall have the following powers, namely:—

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instruction, evaluation or research or improvement in academic standards;

(b) to consider matters of general academic interest either on its own initiative or on a reference from the Planning Board or a School of Studies or the Board of Management and to take appropriate action thereon; and

(c) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, including discipline, admissions, award of fellowships and studentships, fees and other academic requirements.

10. *The Planning Board*

(1) The Planning Board shall consist of not more than ten members.

(2) All the members of the Planning Board, other than the Vice-Chancellor, shall hold office for a term of three years.

(3) It shall be the responsibility of the Planning Board to design and formulate appropriate programmes and activities of the University, and it shall, in addition, have the right to advise the Board of Management and the Academic Council on any matter which it may deem necessary for the fulfilment of the objects of the University:

Provided that in case there is any difference of opinion between the Planning Board and the Academic Council on any matter, it shall be referred to the Board of Management whose decision shall be final.

(4) The Planning Board may constitute such committees as may be necessary for planning and monitoring the programmes of the University.

(5) The Planning Board shall meet at such intervals as it shall deem expedient, but it shall meet at least twice in a year.

11. *The Finance Committee*

(1) The Finance Committee shall consist of not more than seven members.

(2) All the members of the Finance Committee, other than the Vice-Chancellor, shall hold office for a term of three years from the dates on which they become members of the Committee.

(3) Four members of the Finance Committee shall form a quorum for a meeting of the Committee.

(4) The Finance Committee shall meet at least thrice a year to examine the accounts and scrutinise the expenditure.

(5) All proposals relating to revision of grade, upgradation of the scales and those items which are not included in the budget, shall be examined by the Finance Committee before they are considered by the Board of Management.

(6) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments, and thereafter

submitted to the Board of Management within the overall ceiling fixed by the Committee.

(7) The Finance Committee shall fix the limits for the total recurring and non-recurring expenditure for the year, based on income and resources of the University, and no expenditure shall be incurred by the University in excess of the limits so fixed.

12. *Selection Committees*

(1) There shall be Selection Committees for making recommendations to the Board of Management for appointments to the posts of Professors, Readers, Lecturers and other academic staff and heads of institutions maintained by the University.

(2) Each of the Selection Committees for appointment to the post of Professors, Readers, Lecturers and the academic staff shall consist of the following members, namely:—

(a) the Vice-Chancellor;

(b) a Pro-Vice-Chancellor or the Director of the School concerned nominated by the Vice-Chancellor;

(c) a person nominated by the Visitor; and

(d) three experts not connected with the University to be nominated by the Vice-Chancellor in such manner as may be specified in the Ordinances.

(3) The quorum for a meeting of a Selection Committee shall be four, which will include at least two experts.

(4) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(5) If the Board of Management is unable to accept the recommendations made by a Selection Committee, it shall record its reasons for such non-acceptance and submit the case to the Visitor for final orders.

13. *Special mode of appointment*

(1) Notwithstanding anything contained in Statute 12, the Board of Management may invite a person of high academic distinction and professional attainments to accept the post of a Professor or a Reader or equivalent academic post in the University on such terms and conditions as it may deem fit, and appoint the person to such post.

(2) The Board of Management may appoint a teacher or any other academic staff working in any other university or organisation for teaching or for undertaking a project or any work on such terms and conditions as may be determined by the Board in accordance with the manner specified by the Statutes.

14. *Appointment for a fixed tenure*

The Board of Management may appoint a person selected in accordance with the procedure laid down in the Statutes for a fixed tenure on such terms and conditions as it may deem fit.

15. *Recognised Teachers*

(1) The qualifications for recognition of persons working in other universities, institutions or organisations as teachers shall be prescribed by the Ordinances.

(2) The manner of recognising teachers, the period of recognition and withdrawal of recognition shall be prescribed by the Ordinances.

16. *Committees*

(1) Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees, persons who are not members of such authority.

(2) Any committee appointed under clause (1) may deal with any subject delegated to it subject to the subsequent confirmation by the authority appointing it.

17. *Terms and conditions of service and code of conduct of the teachers and other academic staff of the University*

(1) All the teachers and other academic staff of the University shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

(2) Every teacher and member of other academic staff of the University shall be appointed on a written contract, the form of which shall be specified in the Statutes.

(3) A copy of every contract referred to in clause (2) shall be deposited with the Registrar.

18. *Terms and conditions of service and code of conduct of other employees of the University*

All the employees of the University, other than the teachers and other academic staff of the University, shall, in the absence of any contract to the contrary, be governed by the terms and conditions of service and code of conduct as are specified in the Statutes and the Ordinances.

19. *Removal of employees of the University*

(1) Where there is an allegation of misconduct against a teacher, a member of the academic staff or other employee of the University, the Vice-Chancellor, in the case of the teacher or member of the academic staff, and the authority competent to appoint (hereinafter referred to as appointing authority) in the case of other employee, may, by order in writing, place such teacher, member of the academic staff or other employee under suspension and shall forthwith report to the Board of Management the circumstances in which the order was made.

(2) Notwithstanding anything contained in the terms of the contract of appointment or of any other terms and conditions of

service of the employees, the Board of Management in respect of teachers and other academic staff, and the appointing authority, in respect of other employees, shall have the power to remove a teacher or a member of the academic staff, or as the case may be, other employee on grounds of misconduct.

(3) Save as aforesaid, the Board of Management, or as the case may be, the appointing authority, shall not be entitled to remove any teacher, member of the academic staff or other employee except for a good cause and after giving three months' notice or on payment of three months' salary in lieu thereof.

(4) No teacher, member of the academic staff or other employee shall be removed under clause (2) or clause (3) unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher, member of the academic staff or other employee shall take effect from the date on which the order of removal is made:

Provided that where the teacher, member of the academic staff or other employee is under suspension at the time of his removal, such removal shall take effect from the date on which he was placed under suspension.

(6) Notwithstanding anything contained in the foregoing provisions of this Statute, a teacher, member of the academic staff or other employee may resign,—

(a) if he is a permanent employee, only after giving three months' notice in writing to the Board of Management or the appointing authority, as the case may be, or by paying three months' salary in lieu thereof;

(b) if he is not a permanent employee, only after giving one month's notice in writing to the Board of Management or, as the case may be, the appointing authority or by paying one month's salary in lieu thereof:

Provided that such resignation shall take effect only on the date on which the resignation is accepted by the Board of Management, or the appointing authority, as the case may be.

20. *Maintenance of discipline amongst students of the University*

(1) The powers regarding discipline and disciplinary action in regard to the students of the University shall vest with the Vice-Chancellor. The Vice-Chancellor may delegate all or any of his powers, as he may deem fit.

(2) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action as he may deem appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his power, by order, direct that any student or students be expelled or rusticated for a specified period and not admitted to a course or courses of study in the University

or a recognised institution for a stated period, or be punished with a fine for an amount to be specified in the order, or debar him from taking an examination or examinations conducted by the University or a recognised institution for one or more years or that the result of the student or students concerned in the examination or examinations in which he or she has appeared to be cancelled.

(3) The heads of recognised institutions shall have the authority to exercise all such disciplinary powers over the students in their respective institutions as may be necessary for proper conduct of such institution.

STATEMENT OF OBJECTS AND REASONS

Despite the tremendous expansion of the formal system of higher education since Independence, the pressure on the system is continuously increasing. Indeed, the system has not been able to provide an effective means to equalise educational opportunities. The rigidities of the system requiring, among others, attendance in classrooms have been a disincentive to many learners. Moreover, the combinations of subjects are inflexible and are often not relevant to the needs of the learners. This has resulted in a pronounced mismatch between the contents of most programmes and the needs of the development sectors.

The experience of several developed and developing countries indicates that distance education programmes can provide an alternative system that will be cost-effective and relevant, while at the same time ensuring effective equalisation of opportunities. Through a diversity of means, including the utilisation of modern communication technology, the distance education system can provide more flexible and open learning programmes that will suit the needs of various categories of learners, especially the weaker sections of society. The introduction and promotion of distance education in the educational system of the country is, therefore, of great significance.

The Bill seeks to establish a National Open University at Delhi to achieve the above objectives.

K. C. PANT.

NEW DELHI;

The 17th May, 1985.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of a Central Open University at the national level which will be maintained by the Central Government. According to a preliminary estimate prepared by the Project Committee set up by the Government, a total recurring and non-recurring expenditure of about Rs. 15 crores would be necessary during the five-year period beginning from 1985-86 to enable the National Open University to start functioning. A substantial part of this expenditure will be to meet the expenses for the development of the infra-structure of the University. It is not possible at the present stage to indicate precisely the amount that would be required for the maintenance of the University after the first five years as that would depend on the various activities taken up by the University and the progress achieved by it in the first five-year period.

2. The provisions of the Bill will not involve any other expenditure, either recurring or non-recurring, from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 25 of the Bill empowers the Board of Management of the University to make new or additional Statutes or to amend or repeal the Statutes of the University subject to the assent of the Visitor. Sub-clause (5) of the said clause empowers the Visitor also to make new or additional Statutes or amend or repeal the Statutes of the University during the period of three years immediately following the commencement of the Act. Sub-clause (6) empowers the Visitor to direct the University to make provision in the Statutes in respect of any matter specified by him and if the Board of Management is unable to implement such a direction, the Visitor is empowered to make or amend the Statutes suitably. The matters in respect of which the Board of Management and the Visitor may make, amend or repeal Statutes would relate to the constitution, powers and functions of the University, the manner of appointment of the officers and teachers of the University, the terms and conditions of service of employees of the University and other matters.

2. Sub-clause (2) of clause 26 of the Bill empowers the Vice-Chancellor of the University to make the first Ordinances of the University with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Board of Management. The matters in respect of which Ordinances may be made, or, as the case may be, amended, repealed or added to, are enumerated in sub-clause (1) of this clause and they relate to the admission of students, courses of study, conduct of examinations, management of colleges and other matters.

3. Clause 27 of the Bill enables the authorities of the University to make Regulations for the conduct of their business and that of the Committees appointed by them.

4. The matters for which Statutes, Ordinances or Regulations may be made pertain to matters of procedure or detail and it is not possible to provide for them in the Bill. The delegation of legislative powers is, therefore, normal in character.

II

BILL No. XVIII OF 1985

A Bill to establish and incorporate a teaching and affiliating University in the Union territory of Pondicherry and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Pondicherry University Act, 1985.

Short title
and com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, and in all Statutes made hereunder, unless the context otherwise requires,—

Defini-
tions.

(a) "Academic Council" means the Academic Council of the University;

(b) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;

(c) "Board of Studies" means the Board of Studies of the University;

(d) "Chancellor" and "Vice-Chancellor" mean, respectively, the Chancellor and Vice-Chancellor of the University;

(e) "College" means a College maintained by, or admitted to the privileges of, the University;

(f) "Court" means the Court of the University;

(g) "Department" means a Department of Studies, and includes a Centre of Studies;

(h) "Director" means any of the Directors referred to in clauses (3), (4) and (5) of section 11;

(i) "employee" means any person appointed by the University, and includes teachers and other staff of the University;

(j) "Executive Council" means the Executive Council of the University;

(k) "Hall" means a unit of residence or of corporate life for the students of the University, College or Institution, provided, maintained or recognised by the University;

(l) "Institution" means an academic institution, not being a College, maintained by, or admitted to the privileges of the University;

(m) "Principal" means the Head of a College or an Institution, and includes where there is no Principal, the person for the time being duly appointed to act as Principal, and, in the absence of the Principal or acting Principal, a Vice-Principal duly appointed as such;

(n) "recognised institution" means an institution of higher learning recognised by the University;

(o) "recognised teachers" means such persons as are recognised by the University for the purpose of imparting instructions in a College or an Institution admitted to the privileges of the University;

(p) "School" means a School of Studies of the University;

(q) "Statutes", "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

(r) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or Institution maintained by the University and are designated as teachers by the Ordinances;

(s) "University" means the Pondicherry University.

The University.

3. (1) There shall be established a University by the name of "Pondicherry University".

(2) The headquarters of the University shall be of Pondicherry and it may also establish campuses at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership; are hereby constituted a body corporate by the name of "Pondicherry University".

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit and by the example of its corporate life, and, in particular, to make special provisions for studies in French and for integrated courses for humanity and science in the educational programmes of the University and to take appropriate measures for promoting inter-disciplinary studies and research in the University.

Objects.

5. The University shall have the following powers, namely:—

Powers
of the
Univer-
sity.

(1) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;

(2) to provide for and organise studies in French;

(3) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(4) to organise and to undertake extra-mural studies and extension services;

(5) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(6) to provide, instruction, including correspondence and such other courses, to such persons as are not members of the University, as it may determine;

(7) to institute Principalships, Professorships, Readerships, Lecturerships and other teaching or academic posts required by the University and to appoint persons to such Principalships, Professorships, Readerships, Lecturerships or other posts;

(8) to recognise an Institution of higher learning for such purposes as the University may determine and to withdraw such recognition;

(9) to recognise persons for imparting instruction in any College or Institution admitted to the privileges of the University;

(10) to appoint persons working in any other university or organisation as teachers of the University for a specified period;

(11) to create administrative, ministerial and other posts and to make appointments thereto;

(12) to co-operate or collaborate or associate with any other university or authority or institution of higher learning in such manner and for such purposes as the University may determine;

(13) to establish such campuses, special centres, specialised laboratories or other units for research and instructions as are, in the opinion of the University, necessary for the furtherance of its objects;

(14) to institute and award fellowships, scholarships, student-ships, medals and prizes;

(15) to establish and maintain Colleges, Institutions and Halls;

(16) to make provision for research and advisory services; and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(17) to admit to its privileges Colleges and Institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; and to recognise Halls not maintained by the University and to withdraw any such recognition;

(18) to declare a College, an Institution or a Department as an autonomous College or an Institution or a Department, as the case may be;

(19) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;

(20) to demand and receive payment of fees and other charges;

(21) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(22) to make special arrangements in respect of women students as the University may consider desirable;

(23) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed by the University to be necessary;

(24) to make arrangements for promoting the health and general welfare of the employees;

(25) to receive donations and to acquire, hold, manage and dispose of any property, movable or immovable, including trust and endowment properties for the purposes of the University;

(26) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(27) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

Establish-
ment of
certain
Schools.

6. The University shall also establish a School for studies in Eastern and Western Thought to be known as "Sri Aurobindo School of Eastern and Western Thought" and another School for studies in Tamil language and literature to be known as "Subramania Bharati School of Tamil Language and Literature".

Jurisdic-
tion.

7. (1) The jurisdiction of the University shall extend to the whole of the Union territory of Pondicherry:

Provided that the University may, at the request of the Administrator of the Union territory of the Andaman and Nicobar Islands or of the Union territory of Lakshadweep and with the prior approval of the Central Government, extend its jurisdiction to those territories.

(2) No college or institution situated within the local limits of the jurisdiction of the University shall be compulsorily affiliated to the University, and affiliation shall be granted by the University only to such colleges or institutions as may agree to accept the Statutes and Ordinances.

(3) Any college or institution admitted to the privileges of the University shall cease to be associated with, or be admitted to the privileges of, any other university.

(4) No college or institution situated within the local limits of the jurisdiction of the University, but not admitted to its privileges, shall be associated with, or be admitted to the privileges of, any other university except with the previous approval of the Administrator of the Union territory in which such college or institution is situated.

8. (1) The University shall be open to persons of either sex and of whatever race, creed, caste, or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein, or to graduate thereat:

University open to all classes, castes and creed.

Provided that nothing in this section shall be deemed to prevent the University from making special provisions for the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes.

(2) French nationals of Indian origin who have been permitted long-term residence in the Union territory of Pondicherry under the provisions of the Treaty of Cession shall also be eligible for admission to the University.

49 of 1962.

Explanation.—Treaty of Cession has the meaning assigned to it in the Pondicherry (Administration) Act, 1962.

9. (1) The President of India shall be the Visitor of the University.

Visitor.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College or Institution maintained by the University or admitted to its privileges; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(3) The Visitor shall, in every case, give notice of his intention to cause an inspection or inquiry to be made,—

(a) to the University, if such inspection or inquiry is to be made in respect of the University, College or Institution maintained by it, or

(b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of a College or an Institution admitted to the privileges of the University.

and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(4) After considering the representations, if any, made by the University or the management, as the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(6) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may be pleased to offer upon the action to be taken thereon.

(7) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

(8) The Executive Council or the management, as the case may be, shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it proposes to take or has been taken upon the result of such inspection or inquiry.

(9) Where the Executive Council or the management does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor, may, after considering any explanation furnished or representation made by the Executive Council or management, issue such directions as he may think fit and the Executive Council or management, as the case may be, shall comply with such directions.

(10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

10. The Administrator of the Union territory of Pondicherry shall be the Chief Rector of the University.

11. The following shall be the officers of the University:—

(1) The Chancellor;

(2) The Vice-Chancellor;

(3) The Director of Studies, Educational Innovations and Rural Reconstruction;

Chief
Rector.

Officers
of the
University.

(4) The Director of Culture and Cultural Relations;

(5) The Director of Physical Education, Sports, National Service and Students Welfare;

(6) The Deans of Schools;

(7) The Registrar;

(8) The Finance Officer; and

(9) Such other officers as may be declared by the Statutes to be officers of the University.

12. (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

The Chancellor.

(2) The Chancellor shall, by virtue of his office, be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

13. (1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

The Vice-Chancellor.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this subsection shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes or Ordinances.

14. The Directors shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Directors.

15. Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Deans of Schools.

16. (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

The Registrar.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

The Finance Officer.

17. The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Other officers.

18. The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

Authorities of the University.

19. The following shall be the authorities of the University:—

- (1) The Court;
- (2) The Executive Council;
- (3) The Academic Council;
- (4) The Boards of Schools;
- (5) The Planning Board; and
- (6) Such other authorities as may be declared by the Statutes to be authorities of the University.

The Court.

20. (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(d) to perform such other functions as may be prescribed by the Statutes.

The Executive Council.

21. (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term or office of its members and its powers and duties shall be prescribed by the Statutes.

The Academic Council.

22. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.

The Planning Board.

23. (1) There shall be constituted in the University, a Planning Board, which shall be an authority of the University.

(2) The constitution of the Planning Board, term of office of its members and its powers and duties shall be prescribed by the Statutes.

24. The constitution, powers and functions of the Boards of Schools and of such other authorities, as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

Other
authori-
ties of
the Uni-
versity.

25. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

Power to
make
Statutes.

(a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;

(b) the election and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relative to those authorities and other bodies for which it may be necessary or desirable to provide;

(c) the appointment, powers and duties of the officers of the University and their emoluments;

(d) the appointment of teachers of the University and other academic staff and their emoluments;

(e) the appointment of teachers and other academic staff working in any other University or organisation for a specified period for undertaking a joint project;

(f) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(g) the principles governing seniority of service of employees;

(h) the procedure for arbitration in cases of dispute between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(j) the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees;

(k) the participation of students in the affairs of the University;

(l) the conferment of honorary degrees;

(m) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

(n) the institution of fellowships, scholarships, studentships, medals and prizes;

(o) the maintenance of discipline among the students;

(p) the establishment and abolition of Schools, Departments, Halls, Colleges and Institutions;

(q) the conditions under which Colleges and Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(r) the delegation of powers vested in the authorities or officers of the University; and

(s) all other matters which by this Act are to be, or may be, provided by the Statutes.

Statutes
how to be
made.

26. (1) The first Statutes are those set out in the Schedule.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1):

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statute or any amendment or repeal of a Statute shall require the assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years, make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

Ordinan-
ces.

27. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrolment as such;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(f) the conditions of award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and of appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students of the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

(k) the establishment of Centres of Studies, Boards of Studies, Special Centres, specialised laboratories and other Committees;

(l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(m) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(n) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(o) the management of Colleges and Institutions established by the University;

(p) the supervision and management of Colleges and Institutions admitted to the privileges of the University; and

(q) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

28. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Regu-
lations.

Annual
report.

29. (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed by Statutes and the Court shall consider the report in its annual meeting.

(2) The Court shall submit the annual report to the Visitor along with its comments, if any.

(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

Annual
accounts.

30. (1) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor-General of India.

(2) The annual accounts when audited shall be published in the Gazette of India and a copy of the accounts together with the report of the Comptroller and Auditor-General shall be submitted to the Court and the Visitor along with the observations of the Executive Council.

(3) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

(4) A copy of the annual accounts, together with the report of the Comptroller and Auditor-General, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.

Condi-
tions of
service
of employ-
ees.

31. (1) Every employee shall be appointed under a written contract which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(2) Any dispute arising out of a contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940.

2 of 1940.

Procedure
of appeal
and arbit-
ration in
discipli-
nary
cases
against

32. (1) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(2) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be

referred to a Tribunal of Arbitration and the provisions of sub-section (2) of section 31 shall, as far as may be, apply to a reference made under this sub-section.

33. Every employee or student of the University or of a College or Institution shall, notwithstanding anything contained in this Act, have a right to appeal within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University or of the Principal or the management of any College or Institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

Right to appeal.

34. (1) The University shall constitute for the benefit of its employees such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

Provident and pension funds.

(2) Where such provident fund or pension fund has been so constituted, the Central Government may declare that the provision of the Provident Funds Act, 1925, shall apply to such fund, as if it were a Government provident fund.

19 of 1925.

35. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

Disputes as to constitution of University authorities and bodies.

36. Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committees shall, save as otherwise provided, consist of the members of the authority concerned and of such other person (if any) as the authority in each case may think fit.

Constitution of committees.

37. All casual vacancies among the members (other than *ex officio* members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Filling of casual vacancies.

38. No act or proceedings of any authority or other body of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

Proceedings of University authorities or bodies not invalidated by vacancies.

39. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or the Ordinances.

Protection of action taken in good faith.

Mode of
proof of
Univer-
sity
record.

40. A copy of any receipt, application, notice, order, proceeding, resolution of any authority or committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force.

1 of 1872.

Power to
remove
difficul-
ties.

41. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

Transi-
tional
provi-
sions.

42. Notwithstanding anything contained in this Act and the Statutes,—

(a) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of five years;

(b) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(c) the first Court and the first Executive Council shall consist of not more than thirty members and eleven members, respectively, who shall be nominated by the Visitor and shall hold office for a term of three years;

(d) the first Academic Council shall be constituted on the expiry of a period of six months from the commencement of this Act and during the said period of six months, the powers of the Academic Council shall be performed by the Planning Board constituted under section 23;

(e) the first Academic Council shall consist of not more than twenty-one members, who shall be nominated by the Visitor and shall hold office for a term of three years:

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

43. Notwithstanding anything contained in this Act, or in the Statutes or the Ordinances, any student of a college or institution, who, immediately before the admission of such college or institution to the privileges of the Pondicherry University, was studying for a degree, diploma or certificate of the University of Madras, University of Calicut or Andhra University, shall be permitted by the Pondicherry University to complete his course for that degree, diploma or certificate, as the case may be, and the Pondicherry University and such college or institution shall provide for the instructions and examination of such student in accordance with the syllabus of studies of the University.

Completion of courses of studies in colleges and institutions affiliated to the University.

44. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.

Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.

THE SCHEDULE

[See section 26(1)]

THE STATUTES OF THE UNIVERSITY

1. (1) The Vice-Chancellor shall be a whole-time salaried officer of the University.

The Vice-Chancellor.

(2) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for not more than another term:

Provided that notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office:

Provided further that the Visitor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction.

(3) Notwithstanding anything contained in clause (2), a person appointed as Vice-Chancellor shall, if he completes the age of sixty-five years during the term of his office or any extension thereof, retire from office.

(4) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be as follows:—

(i) There shall be paid to the Vice-Chancellor a salary of three thousand rupees per mensem and he shall be entitled, without pay-

ment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(ii) The Vice-Chancellor shall not be entitled to the benefits of the University Provident Fund:

Provided that where an employee of—

(a) the University or College or Institution maintained by, or affiliated to, it; or

(b) any other University or College or Institution maintained by, or affiliated to, that University,

is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as the Vice-Chancellor.

(iii) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(iv) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on active service.

(v) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to leave under sub-clause (iv).

(5) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform the duties owing to absence, illness or any other cause, the senior-most Director shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be.

Powers
and
duties of
the Vice-
Chancel-
lor.

2. (1) The Vice-Chancellor shall be *ex officio* Chairman of the Court, the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Chancellor, preside at the Convocations of the University held for conferring degrees. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(2) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes, the Ordinances and the regulations are duly observed, and he shall have all powers necessary to ensure such observance.

(3) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Academic Council and the Finance Committee.

Directors.

3. (1) (a) The Director of Studies, Educational Innovations and Rural Reconstruction shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(b) The emoluments and other conditions of service of the Director of Studies, Educational Innovations and Rural Reconstruction shall be such as may be prescribed by the Ordinances.

(c) The Director of Studies, Educational Innovations and Rural Reconstruction shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(d) Subject to the general supervision of the Academic Council, the Director of Studies, Educational Innovations and Rural Reconstruction shall be responsible for organising studies, educational innovations and academic programmes of the University.

(e) The Director of Studies, Educational Innovations and Rural Reconstruction shall have such powers and perform such functions in his field as may be determined or delegated to him by the Academic Council and the Vice-Chancellor.

(2) (a) The Director of Culture and Cultural Relations shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(b) The emoluments and other conditions of service of the Director of Culture and Cultural Relations shall be such as may be prescribed by the Ordinances.

(c) The Director of Culture and Cultural Relations shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(d) Subject to the general supervision of the Vice-Chancellor, the Director of Culture and Cultural Relations shall—

(i) co-ordinate teaching and research on the Indian culture and its relations with the cultures of other countries;

(ii) organise dissemination, through various media, of the cultural treasure in the fields of art, literature and music;

(iii) be responsible for relationship with institutions and agencies of culture of India and abroad.

(3) (a) The Director of Physical Education, Sports, National Service and Student Welfare shall be appointed by the Executive Council on the

recommendation of the Selection Committee constituted for the purpose and he shall be a whole-time salaried officer of the University.

(b) The emoluments and other conditions of service of the Director of Physical Education, Sports, National Service and Student Welfare shall be such as may be prescribed by the Ordinances.

(c) The Director of Physical Education, Sports, National Service and Student Welfare shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of sixty-five years, whichever is earlier.

(d) The Director of Physical Education, Sports, National Service and Student Welfare shall co-ordinate the activities of the University in respect of physical education, sports, national service and student welfare and other activities that involve student participation in community development.

(e) The Director of Physical Education, Sports, National Service and Student Welfare shall have such other powers and perform such other functions in his field as may be determined or delegated to him by the Executive Council and the Vice-Chancellor.

Registrar.

4. (1) The Registrar shall be a whole-time salaried officer of the University.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances:

Provided that the Registrar shall retire on attaining the age of sixty years:

Provided further that a Registrar shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year, whichever is earlier.

(3) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence, or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) (a) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and academic staff, as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(b) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (a).

(c) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

(5) The Registrar shall be *ex officio* Secretary of the Executive Council, the Academic Council and the Boards of Schools, but shall not be deemed to be a member of any of these authorities. He shall be *ex officio* Member-Secretary of the Court.

(6) It shall be the duty of the Registrar,—

(a) to be the custodian of the records, the common seal and such other property of the University as the Executive Council shall commit to his charge;

(b) to issue all notices convening meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools, the Boards of Studies, the Boards of Examiners and of any committees appointed by the authorities of the University;

(c) to keep the minutes of all the meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools, and of any committees appointed by the authorities of the University;

(d) to conduct the official correspondence of the Court, the Executive Council and the Academic Council;

(e) to arrange for and superintend the examinations of the University in accordance with the manner prescribed by the Ordinances;

(f) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued; and the minutes of such meetings;

(g) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(h) to perform such other duties as may be specified in the Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

5. (1) The Finance Officer shall be a whole-time salaried officer of the University.

Finance
Officer.

(2) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the Ordinances.

Provided that a Finance Officer shall retire on attaining the age of sixty years:

Provided further that the Finance Officer shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is

appointed and enters upon his office or until the expiry of a period of one year, whichever is earlier.

(3) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) The Finance Officer shall be *ex officio* Secretary of the Finance Committee, but shall not be deemed to be a member of such Committee.

(5) The Finance Officer shall—

(a) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and

(b) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by the Statutes or the Ordinances;

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.

(6) Subject to the control of the Executive Council, the Finance Officer shall—

(a) hold and manage the property and investments of the University including trust and endowed property;

(b) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(c) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;

(d) keep a constant watch on the state of the cash and bank balances and on the state of investments;

(e) watch the progress of the collection of revenue and advise on the methods of collection employed;

(f) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, Special Centres, specialised laboratories, Colleges and Institutions maintained by the University;

(g) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against persons at fault; and

(h) call for from any office, Centre, Laboratory, College or Institution maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(7) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

6. (1) Every Dean of a School of Studies shall be appointed by the Vice-Chancellor from among the Professors in the School for a period of three years and he shall be eligible for re-appointment:

Deans of
Schools of
Studies.

Provided that a Dean on attaining the age of sixty years shall cease to hold office as such:

Provided further that if at any time there is no Professor in a School, the Vice-Chancellor, or a Director authorised by the Vice-Chancellor in this behalf, shall exercise the powers of the Dean of the School.

(2) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the School and shall be responsible for the conduct and maintenance of the standards of teaching and research in the School. The Dean shall have such other functions as may be prescribed by the Ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or committees of the School, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

7. (1) In the case of Departments which have more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from among the Professors.

Heads of
Depart-
ments.

(2) In the case of Departments where there is only one Professor, the Executive Council shall have the option to appoint, on the recommendation of the Vice-Chancellor, either the Professor or a Reader as the Head of the Department:

Provided that it shall be open to a Professor or Reader to decline the offer of appointment as the Head of the Department.

(3) A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

(4) A Head of a Department may resign his office at any time during his tenure of office.

(5) A Head of a Department shall perform such functions as may be prescribed by the Ordinances.

Proctors.

8. (1) Every Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) Every Proctor shall hold office for a term of two years and shall be eligible for re-appointment.

Librarian.

9. (1) Every Librarian shall be appointed by the Executive Council on the recommendation of the Selection Committee constituted for the purpose and he shall be a whole-time officer of the University.

(2) Every Librarian shall exercise such powers and perform such duties as may be assigned to him by the Executive Council.

Meetings of the Court.

10. (1) An annual meeting of the Court shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Court in respect of any year.

(2) At an annual meeting of the Court, a report on the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance-sheet, as audited, and the financial estimates for the next year shall be presented.

(3) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in clause (2) shall be sent to every member of the Court at least seven days before the date of the annual meeting.

(4) Twelve members of the Court shall form a quorum for a meeting of the Court.

(5) Special meetings of the Court may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by the senior-most Director or if there is no Director, by the Registrar.

Quorum for meetings of the Executive Council.

11. Five members of the Executive Council shall form a quorum for a meeting of the Executive Council.

Powers and functions of the Executive Council.

12. (1) The Executive Council shall have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of this Act, the Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Readers, Lecturers and other

academic staff and Principals of Colleges and Institutions maintained by the University:

Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and the emoluments of teachers and academic staff otherwise than after consideration of the recommendations of the Academic Council;

(ii) to appoint such Professors, Readers, Lecturers and other academic staff, as may be necessary, and Principals of Colleges and Institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in the manner prescribed by the Ordinances;

(iv) to grant leave of absence to any officer of the University, other than the Chancellor and the Vice-Chancellor, and to make necessary arrangements for the discharge of the functions of such officer during his absence;

(v) to regulate and enforce discipline among employees in accordance with the Statutes and the Ordinances;

(vi) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;

(vii) to fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendations of the Finance Committee;

(viii) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, share or securities as it shall, from time to time, think fit or in the purchase of immovable property in India, with the like powers of varying such investments from time to time;

(ix) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(x) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(xi) to enter into, vary, carry out and cancel contracts on behalf of the University;

(xii) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the employees and students of the University, who may, for any reason feel aggrieved;

(xiii) to appoint examiners and moderators and, if necessary, to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(xiv) to select a common seal for the University and provide for the custody and use of such seal;

(xv) to make such special arrangements as may be necessary for the residence and discipline of women students;

(xvi) to delegate any of its powers to the Vice-Chancellor, the Directors, the Registrar or the Finance Officer or such other employee or authority of the University or to a committee appointed by it as it may deem fit;

(xvii) to institute fellowships, scholarships, studentships, medals and prizes; and

(xviii) to exercise such other powers and perform such other duties as may be conferred or imposed on it by the Act, or the Statutes.

Quorum
for
meetings
of the
Academic
Council.

13. Nine members of the Academic Council shall form a quorum for a meeting of the Academic Council.

Powers
of the
Academic
Council.

14. Subject to the Act, the Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(a) to exercise general supervision over the academic policies of the University and to give directions regarding methods of instructions, co-operative teaching among Colleges and Institutions, evaluation of research or improvements in academic standards;

(b) to bring about inter-School co-ordination, to establish or appoint committees or boards, for taking up projects on an inter-school basis;

(c) to consider matters of general academic interest either on its own initiative or on a reference by a School or the Executive Council and to take appropriate action thereon; and

(d) to frame such regulations and rules consistent with the Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fees concessions, corporate life and attendance.

The
Planning
Board

15. (1) The Planning Board shall consist of the following members, namely:—

(a) the Vice-Chancellor;

(b) all Directors;

(c) two nominees of the Chancellor;

(d) five members of the Academic Council nominated by the Vice-Chancellor;

(e) two officers of the University nominated by the Vice-Chancellor.

(2) The Vice-Chancellor shall be the Chairman of the Planning Board and the Director of Studies, Educational Innovations and Rural Reconstruction shall act as the Secretary to the Planning Board and he shall

convene the meetings of the Planning Board after consultation with the Vice-Chancellor.

(3) The Planning Board shall be the principal planning body of the University and shall be responsible for—

(a) reviewing the educational programmes offered by the University;

(b) organising the structure of education in the University so as to provide opportunities to students to offer different combinations of subjects appropriate for the development of personality and skills for useful work in society;

(c) creating an atmosphere and environment conducive to value-oriented education; and

(d) developing new teaching-learning processes which will combine the lectures, tutorials, seminars, demonstrations, self-studies and collective practical projects.

(4) The Planning Board shall have the power to advise on the development of the University and review the progress of implementation of programmes so as to ascertain whether they are on the lines recommended by it and shall also have the power to advise the Executive Council and the Academic Council on any matter in connection therewith.

(5) The Academic Council and the Executive Council shall be bound to consider the recommendations made by the Planning Board and shall implement such of the recommendations as are accepted by it.

(6) Such of those recommendations of the Planning Board as have not been accepted by the Executive Council or the Academic Council under sub-section (6) shall be submitted by the Vice-Chancellor, along with the recommendations of the Executive Council or the Academic Council, to the Visitor for advice and the advice of the Visitor shall be implemented by the Executive Council or the Academic Council, as the case may be.

16. (1) The University shall have such Schools of Studies as may be specified by the Ordinances.

Schools
of studies
and
Depart-
ments.

(2) Every School shall have a School Board. The members of the first School Board shall be nominated by the Executive Council and shall hold office for a period of three years.

(3) The powers and functions of a School Board shall be prescribed by the Ordinances.

(4) The conduct of the meetings of a School Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(5) (a) Each School shall consist of such Departments as may be assigned to it by the Ordinances.

(b) No Department shall be established or abolished except by the Statutes;

Provided that the Executive Council may, on the recommendation of the Academic Council, establish Centres of Studies to which may be assigned such teachers of the University as the Executive Council may consider necessary.

(c) Each Department shall consist of the following members, namely:—

- (i) teachers of the Department;
- (ii) persons conducting research in the Department;
- (iii) Dean of the School or Deans of the Schools;
- (iv) honorary Professors, if any, attached to the Department;
- and
- (v) such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

Boards of
Studies.

17. (1) Each Department shall have two Boards of Studies, one for Post-graduate Studies and the other for Under-graduate Studies.

(2) The constitution of a Board of Post-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

(3) The functions of a Board of Post-graduate Studies shall be to approve subjects for research for various degrees and other requirements of research degrees and to recommend to the concerned School Board in the manner prescribed by the Ordinances:—

- (a) courses of studies and appointment of examiners for post-graduate courses, but excluding research degrees;
- (b) appointment of supervisors of research; and
- (c) measures for the improvement of the standard of post-graduate teaching and research:

Provided that the above functions of a Board of Post-graduate Studies shall, during the period of three years immediately after the commencement of the Act, be performed by the Department.

(4) The constitution and functions of a Board of Under-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

Finance
Committee.

18. (1) The Finance Committee shall consist of the following members, namely:—

- (i) The Vice-Chancellor;
- (ii) A Director appointed by the Executive Council;
- (iii) Three persons nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council; and
- (iv) Three persons nominated by the Visitor.

(2) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(3) All the members of the Finance Committee, other than *ex officio* members, shall hold office for a term of three years.

(4) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(5) The Finance Committee shall meet at least twice every year to examine the accounts and to scrutinise proposals for expenditure.

(6) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(7) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

19. (1) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Director, Professor, Reader, Lecturer, Librarian and Principals of Colleges and Institutions maintained by the University.

Selection
Committ.
tees.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table below shall consist of the Vice-Chancellor, a Director (if any) appointed by the Executive Council, a nominee of the Visitor and the persons specified in the corresponding entry in column 2 of the said Table:

TABLE

1	2
Director	Not less than three eminent persons, not in the service of the University or members of the Executive Council or Academic Council to be nominated by the Executive Council out of the panel of not less than six names recommended by the Academic Council for their special knowledge of, or interest in, the subjects with which the Director to be appointed will be concerned.
Professor	(i) The Head of the Department concerned, if he is a Professor. (ii) One Professor to be nominated by the Vice-Chancellor. (iii) Three persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of, or interest in, the subject with which the Professor will be concerned.
Reader/Lecturer	(i) The Head of the Department concerned. (ii) One Professor to be nominated by the Vice-Chancellor. (iii) Two persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of, or interest in, the subject with which the Reader or Lecturer will be concerned.
Librarian	(i) Two persons not in the service of the University, who have special knowledge of the subject of Library Science/Library Administration to be nominated by the Executive Council. (ii) One person not in the service of the University, nominated by the Executive Council.

Principal of College or Institution
maintained by the University

Three persons not in the service of the University of whom two shall be nominated by the Executive Council and one by the Academic Council for their special knowledge of, or interest in, a subject in which instruction is being provided by the College or Institution.

NOTE 1.—Where the appointment is being made for an inter-disciplinary project, the Head of the project shall be deemed to be the Head of the Department concerned.

NOTE 2.—The Professor to be nominated shall be a Professor concerned with the speciality for which the selection is being made and that the Vice-Chancellor shall consult the Head of the Department and the Dean of School before nominating the Professor.

(3) The Vice-Chancellor, or in his absence, the senior-most Director, shall preside at the meetings of a Selection Committee.

(4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor or in his absence, by the senior-most Director.

(5) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(6) If the Executive Council is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(7) Appointments to temporary posts shall be made in the manner indicated below:—

(i) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing clauses:

Provided that if the Vice-Chancellor is satisfied that in the interests of work it is necessary to fill the vacancy, the appointment may be made on a purely temporary basis by a local Selection Committee referred to in sub-clause (ii) for a period not exceeding six months.

(ii) If the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the School concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may contain two nominees of the Vice-Chancellor:

Provided further that in case of sudden casual vacancies of teaching posts caused by death or any other reason, the Dean may,

in consultation with the Head of the Department concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment.

(iii) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under the Statutes, be continued in service on such temporary employment, unless he is subsequently selected by a local Selection Committee or a regular Selection Committee, for a temporary or permanent appointment, as the case may be.

20. (1) Notwithstanding anything contained in Statute 19, the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor or Reader or any other academic post in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

Special
mode of
appoint-
ment.

(2) The Executive Council may appoint a teacher or any other academic staff working in any other university or organisation for undertaking a joint project in accordance with the manner laid down in the Ordinances.

21. The Executive Council may appoint a person selected in accordance with the procedure laid down in Statute 19 for a fixed tenure on such terms and conditions as it deems fit.

Appoint-
ment for
a fixed
tenure.

22. (1) The qualifications of recognised teachers shall be such as may be prescribed by the Ordinances.

Recog-
nised tea-
chers.

(2) All applications for the recognition of teachers shall be made in such manner as may be laid down in the Ordinances.

(3) No teacher shall be recognised as a teacher except on the recommendation of a selection committee constituted for the purpose in the manner laid down in the Ordinances.

(4) The period of recognition of a teacher shall be determined by Ordinances made in that behalf.

(5) The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw recognition from a teacher:

Provided that no such resolution shall be passed until notice in writing has been given to the person concerned calling upon him to show cause, within such time as may be specified in the notice, why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Academic Council.

(6) Any person aggrieved by an order of withdrawal under clause (5) may, within three months from the date of communication to him of such order, appeal to the Executive Council which may pass such orders thereon as it thinks fit.

Commit-
tees.

23. Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees persons who are not members of such authority. Any such committee may deal with any subject delegated to it subject to subsequent confirmation by the authority appointing.

Terms and
conditions
of service
of Uni-
versity
teachers.

24. (1) All the teachers of the University shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service as specified in the Statutes, the Ordinances and the Regulations.

(2) Every teacher of the University shall be appointed on a written contract, the form of which shall be prescribed by the Ordinances. A copy of the contract shall be deposited with the Registrar.

Seniority
lists.

25. (1) Whenever, in accordance with the Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, and, in accordance with such other principles as the Executive Council may, from time to time, prescribe.

(2) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of the Statutes apply, a complete and up-to-date seniority list in accordance with the provisions of clause (1).

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

Removal
of
teachers.

26. (1) Where there is an allegation of misconduct against a teacher, or a member of the academic staff, the Vice-Chancellor may, if he thinks fit, by order in writing, place the teacher under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made:

Provided that the Executive Council may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher or a member of the academic staff, revoke such order.

(2) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher or a member of the academic staff on the ground of misconduct.

(3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher or a member of the academic staff except for good cause and after giving three months' notice in writing or on payment of three months' salary in lieu of notice.

(4) No teacher or a member of the academic staff shall be removed under clause (2) or under clause (3) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher or a member of the academic staff shall require a two-thirds majority of the members of the Executive Council present and voting.

(6) The removal of a teacher or a member of the academic staff shall take effect from the date on which the order of removal is made:

Provided that where a teacher or a member of the academic staff is under suspension at the time of his removal, the removal shall take effect from the date on which he was placed under suspension.

(7) Notwithstanding anything contained in the Statutes, a teacher or a member of the academic staff may resign by giving three months' notice in writing to the Executive Council or on payment to the University of three months' salary in lieu thereof.

27. (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee—

Removal of employees other than teachers of the University.

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months;

(d) if he is otherwise guilty of misconduct:

Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting.

(2) No employee shall be removed under clause (1) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(3) Where the removal of such employee is for a reason other than that specified in sub-clause (c) or sub-clause (d) of clause (1), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice.

(4) Notwithstanding anything contained in the Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign,—

(i) if he is a permanent employee, only after giving three months' notice in writing to the appointing authority or paying to the University three months' salary in lieu thereof;

(ii) if he is not a permanent employee, only after giving one month's notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof:

Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority.

Honorary
degrees.

28. (1) The Executive Council may, on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two-thirds of the members present and voting, make proposals to the Visitor for the conferment of honorary degrees:

Provided that in case of emergency, the Executive Council may, on its own, make such proposals.

(2) The Executive Council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw, with the previous sanction of the Visitor, any honorary degree conferred by the University.

With-
drawal of
degrees,
etc.

29. The Executive Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such a resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Executive Council.

Mainten-
ance of
discipline
among
students
of the
Univer-
sity.

30. (1) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may delegate all or any of his powers as he deems proper to a Proctor and to such other officers as he may specify in this behalf.

(3) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of study in a College, Institution or Department of the University for a stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, College, Institution or a Department for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

(4) The Principals of Colleges, Institutions, Heads of Special Centres, Deans of Schools of Studies and Heads of teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective Colleges, Institutions, Special Centres, Schools and teaching Departments in the University as may be necessary for the proper conduct of such Colleges, Institutions, Special Centres, Schools and teaching in the Departments.

(5) Without prejudice to the powers of the Vice-Chancellor, the Principals and other persons specified in clause (4), detailed rules of

discipline and proper conduct shall be made by the University. The Principals of Colleges, Institutions, Heads of Special Centres, Deans of Schools of Studies and Heads of teaching Departments in the University may also make the supplementary rules as they deem necessary for the aforesaid purposes. Every student shall be supplied with a copy of the rules made by the University and a copy of the supplementary rules shall be supplied to the students concerned.

(6) At the time of admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University.

31. All powers relating to discipline and disciplinary action in relation to students of a College or an Institution, not maintained by the University, shall vest in the Principal of the College or Institution, as the case may be, in accordance with the procedure prescribed by the Ordinances.

Maintenance of discipline among students of Colleges, etc.

32. (1) Colleges and other Institutions situated within the jurisdiction of the University may be admitted to such privileges of the University as the Executive Council may decide on the following conditions, namely:—

Admission of Colleges, etc., to the privileges of the University.

(i) Every such College or Institution shall have a regularly constituted Governing Body, consisting of not more than fifteen persons approved by the Executive Council and including among others, two teachers of the University to be nominated by the Executive Council and three representatives of the teaching staff of whom the Principal of the College or Institution shall be one. The procedure for appointment of members of the Governing Body and other matters affecting the management of a College or an Institution shall be prescribed by the Ordinances:

Provided that the said condition shall not apply in the case of Colleges and Institutions maintained by Government which shall, however have an Advisory Committee consisting of not more than fifteen persons which shall consist of, among others, three teachers including the Principal of the College or Institution, and two teachers of the University nominated by the Executive Council.

(ii) Every such College or Institution shall satisfy the Executive Council on the following matters, namely:—

(a) the suitability and adequacy of its accommodation and equipment for teaching;

(b) the qualifications and adequacy of its teaching staff and the conditions of their service;

(c) the arrangements for the residence, welfare, discipline and supervision of students;

(d) the adequacy of financial provision made for the continued maintenance of the College or Institution; and

(e) such other matters as are essential for the maintenance of the standards of University education.

(iii) No College or Institution shall be admitted to any privileges of the University except on the recommendation of the Academic Council made after considering the report of a Committee of Inspection appointed for the purpose by the Academic Council.

(iv) Colleges and Institutions desirous of admission to any privileges of the University shall be required to intimate their intention to do so in writing so as to reach the Registrar not later than the 15th August, preceding the year from which permission applied for is to have effect.

(v) A College or an Institution shall not, without the previous permission of the Executive Council and the Academic Council, suspend instruction in any subject or course of study which it is authorised to teach and teaches.

(2) Appointment to the teaching staff and Principals of Colleges or Institutions admitted to the privileges of the University shall be made in the manner prescribed by the Ordinances:

Provided that nothing in this clause shall apply to Colleges and Institutions maintained by Government.

(3) The service conditions of the administrative and other non-academic staff of every College or Institution referred to in clause (2) shall be such as may be laid down in the Ordinances:

Provided that nothing in this clause shall apply to Colleges and Institutions maintained by Government.

(4) Every College or Institution admitted to the privileges of the University shall be inspected at least once in every two academic years by a Committee appointed by the Academic Council, and the report of that Committee shall be submitted to the Academic Council, which shall forward the same to the Executive Council with such recommendations as it may deem fit to make. The Executive Council, after considering the report and the recommendations, if any, of the Academic Council, shall forward a copy of the report to the Governing Body of the College or Institution with such remarks, if any, as it may deem fit for suitable action.

(5) The Executive Council may, after consulting the Academic Council, withdraw any privileges granted to a College or Institution, at any time it considers that the College or Institution does not satisfy any of the conditions on the fulfilment of which the College or Institution was admitted to such privileges:

Provided that before any privileges are so withdrawn, the Governing Body of the College or Institution concerned shall be given an opportunity to represent to the Executive Council why such action should not be taken.

(6) Subject to the conditions set forth in clause (1), the Ordinances may prescribe—

(i) such other conditions as may be considered necessary;

(ii) the procedure for the admission of Colleges and Institutions to the privileges of the University and for the withdrawal of those privileges.

33. Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances. Convo-
cations.

34. Where no provision is made for a President or Chairman to preside over a meeting of any authority of the University or any committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting. Acting
Chairman
of
meetings.

35. Any member, other than an *ex officio* member of the Court, the Executive Council, the Academic Council or any other authority of the University or any committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar. Resigna-
tion.

36. (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University— Disquali-
fications.

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Visitor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.

37. Notwithstanding anything contained in the Statutes, no person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any authority of the University. Residence
condition
for
member-
ship and
office.

38. Notwithstanding anything contained in the Statutes, a person who holds any post in the University or is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as the holder of a particular appointment shall hold such office or membership only for so long as he continues to be a member of that particular authority or body or the holder of that particular appointment, as the case may be. Member-
ship of
authorities
by virtue
of
member-
ship of
other
bodies.

39. (1) There shall be an Alumni Association for the University. Alumni
Associa-
tion.

(2) The subscription for membership of the Alumni Association shall be prescribed by the Ordinances.

(3) No member of the Alumni Association shall be entitled to vote or stand for election unless he has been a member of the Association for at least one year

prior to the date of the election and is a graduate of the University of at least five years' standing:

Provided that the condition relating to the completion of one year's membership shall not apply in the case of the first election.

Students'
Council.

40. (1) There shall be constituted in the University, a Students' Council for every academic year, consisting of:—

(a) the Director of Physical Education, Sports, National Service and Students' Welfare who shall be the Chairman of the Students' Council;

(b) all students who have won prizes in the previous academic year in the fields of studies, fine arts, sports and extension work;

(c) twenty students to be nominated by the Academic Council on the basis of merit in studies, sports, extra-curricular activities and all-round development of personality:

Provided that any student of the University shall have the right to bring up any matter concerning the University before the Students' Council if so permitted by the Chairman, and he shall have the right to participate in the discussions at any meeting when the matter is taken up for consideration.

(2) The functions of the Students' Council shall be to make suggestions to the appropriate authorities of the University in regard to the programmes of studies, students' welfare and other matters of importance in regard to the working of the University in general and such suggestions shall be made on the basis of consensus of opinion.

(3) The Students' Council shall meet at least once in an academic year preferably in the beginning of that year.

Ordi-
nances
how
made.

41. (1) The first Ordinances made under sub-section (2) of section 27 may be amended, repealed or added to at one time by the Executive Council in the manner specified below.

(2) No Ordinance in respect of the matters enumerated in section 27, other than those enumerated in clause (n) of sub-section (1) thereof, shall be made by the Executive Council unless a draft of such Ordinance has been proposed by the Academic Council.

(3) The Executive Council shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (2), but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(4) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is reaffirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(5) Every Ordinance made by the Executive Council shall come into effect immediately.

(6) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks from the date of its adoption. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible, inform the Executive Council about his objection to the proposed Ordinance. The Visitor may, after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

42. (1) The authorities of the University may make Regulations consistent with the Act, and the Statutes and the Ordinances:—

Regula-
tions.

(a) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(b) providing for all matters which are required by the Act, the Statutes or the Ordinances to be prescribed by Regulations;

(c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by the Act, the Statutes or the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment in such manner as it may specify, of any Regulation made under the Statutes or the annulment of any such Regulation.

43. Subject to the provisions of the Act and the Statutes, any officer or authority of the University may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

Delega-
tion of
powers.

STATEMENT OF OBJECTS AND REASONS

Establishment of a Central University in the Union territory of Pondicherry has been a long-felt need. A decision was taken in principle to establish a Central University in Pondicherry in 1974. However, due to financial constraints, this decision could not be given effect to so far.

2. At present the colleges of the territory are affiliated to three different Universities viz. University of Madras, University of Calicut and Andhra University, Waltair. In the absence of facilities of Post-graduate teaching and research in different branches of studies, some seats in Post-graduate courses are reserved for the benefit of the people of the territory in the neighbouring Universities. This arrangement is too inadequate to cater to the needs of the Union territory.

3. In addition to fulfilling the needs of Pondicherry, the University will also have powers to extend its jurisdiction to the Union territories of Andaman and Nicobar Islands and Lakshadweep and meet their requirements.

4. The Bill seeks to establish a teaching-cum-affiliating University in the Union territory of Pondicherry.

NEW DELHI;

The 17th May, 1985.

K. C. PANT

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of a Central University at Pondicherry. In 1974, the committee, which was appointed to work out details of the new University, had estimated a non-recurring cost of Rs. 8 crores spread over a period of ten years, and recurring cost of Rs. 2.2 crores over a period of five years for the establishment of the University. Taking into account the escalation in cost, the estimated expenditure would now be about Rs. 15 crores on non-recurring items spread over a period of ten years and Rs. 3 crores on recurring items for five years. The expenditure involved will be met by the University Grants Commission from its plan allocation.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the University, at the request of the Administrator of the Union territory of the Andaman and Nicobar Islands or of the Union territory of Lakshadweep and with the prior approval of the Central Government, to extend its jurisdiction to these territories.

2. Clause 26 of the Bill empowers the Executive Council of the University to make new or additional Statutes or to amend or repeal the Statutes of the University subject to the assent of the Visitor. Sub-clause (5) of the said clause empowers the Visitor also to make new or additional Statutes or amend or repeal the Statutes of the University during the period of three years immediately following the commencement of the Act. The sub-clause empowers the Visitor also to make detailed Statutes on the expiry of the said period of three years and such detailed Statutes should be laid before both the Houses of Parliament. The matters in respect of which the Executive Council and the Visitor may make, amend or repeal Statutes or the Visitor may make detailed Statutes, relate to the constitution, powers and functions of the authorities of the University, the manner of appointment of the officers and teachers of the University, the terms and conditions of service of employees of the University and other matters.

3. Clause 27 of the Bill empowers the Vice-Chancellor of the University to make the first Ordinances of the University with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council. The matters in respect of which Ordinances may be made, or as the case may be, amended, repealed or added to, relate to the admission of students, courses of study, conduct of examinations, establishment of centres of studies, specialised laboratories and the manner of cooperation and collaboration with other Universities and authorities and other matters.

4. Clause 28 of the Bill enables the authorities of the University to make Regulations for the conduct of their business and that of the Committees appointed by them.

5. The matters for which Statutes, Ordinances or Regulations may be made pertain to matters of procedure or detail and it is hardly possible to provide for them in the Bill. The delegation of legislative powers is of a normal character.

SUDARSHAN AGARWAL,
Secretary-General.